

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Richmond Division

| | | |
|-------------------------------|---|--------------------|
| ANN B. TRIBBEY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| |) | |
| v. |) | Case No. 3:07cv220 |
| |) | |
| NEW YORK LIFE INSURANCE CO., |) | |
| & ANNUITY CORP., |) | |
| |) | |
| Defendant, |) | |
| |) | |
| _____ |) | |
| |) | |
| NEW YORK INSURANCE |) | |
| & ANNUITY CORP. |) | |
| |) | |
| |) | |
| Counterclaimant, |) | |
| v. |) | |
| |) | |
| |) | |
| ANN B. TRIBBEY, and |) | |
| |) | |
| and |) | |
| |) | |
| ANN B. TRIBBEY, custodian for |) | |
| RACHAEL L. WASHINGTON, minor |) | |
| |) | |
| Counterdefendants, |) | |
| |) | |
| _____ |) | |

MOTION OF ANN B. TRIBBEY, INDIVIDUALLY, AND ANN B.
TRIBBEY, CUSTODIAN FOR RACHEL L. WASHINGTON, MINOR,
FOR LEAVE TO FILE A LATE RESPONSE TO DEFENDANT'S COUNTERCLAIM

Ann B. Tribbey, Individually, and Ann B. Tribbey, Custodian
for Rachel L. Washington, Minor, pursuant to Rule 7 et. sec, of

the Federal Rules of Civil Procedure, hereby moves this court to grant leave to file a late answer to Defendant's Counterclaim, a copy of which is attached hereto as an Exhibit.

August 29, 2007

Respectfully submitted,

/s/ Charles J. McCall

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Attorney for Ann B. Tribbey,
et. al.

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of August, 2007, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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/s/ Charles J. McCall

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